

SUPREME COURT OF ARKANSAS

Brown v. Hobbs

2014 Ark. 267 (2014) · No. CV-13-1116 · Decided June 5, 2014

SUMMARY

The Supreme Court of Arkansas affirmed the dismissal of Jeffery Brown’s habeas corpus petition challenging his life sentence for first-degree murder under Miller v. Alabama and related Arkansas precedent. The court held that Brown’s sentence was discretionary rather than mandatory, so Miller’s restrictions on mandatory juvenile life-without-parole sentences did not apply. Brown therefore failed to show that his commitment was facially invalid or that the sentencing court lacked jurisdiction.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Arkansas
DECIDED	June 5, 2014
DOCKET	CV-13-1116
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the dismissal of a state habeas corpus petition challenging the legality of a juvenile offender's discretionary life sentence under Miller v. Alabama and related Arkansas precedent.
STANDARD OF REVIEW	The opinion does not expressly identify a separate standard of review; it applies Arkansas's requirements for habeas corpus relief and reviews the circuit court's denial of the petition.
PRECEDENTIAL VALUE	Published Arkansas Supreme Court opinion; precedential
PARTIES	Jeffery Brown v. Ray Hobbs, Director of the Arkansas Department of Correction

TOPICS

- habeas corpus
- post-conviction relief
- sentencing
- cruel and unusual punishment
- appellate procedure

PRACTICE AREAS

- state habeas corpus
- juvenile sentencing
- criminal procedure
- post-conviction relief

QUESTIONS PRESENTED

1. Whether Brown's discretionary life sentence for first-degree murder was facially illegal under the Eighth Amendment and *Miller v. Alabama* because he was a juvenile and the sentencing court did not consider his youth.
2. Whether Brown established a basis for state habeas corpus relief by showing that the sentencing court lacked jurisdiction or that his commitment was invalid on its face.

HOLDINGS

1. *Miller v. Alabama* does not render Brown's discretionary life sentence for first-degree murder illegal because *Miller* prohibits sentencing schemes that mandate life without parole for juvenile homicide offenders, and Brown's applicable sentencing range included a discretionary life sentence.
2. Brown was not entitled to habeas corpus relief because he failed to show that the circuit court lacked jurisdiction or that his commitment was invalid on its face.

KEY QUOTATIONS

“Miller is only applicable in Arkansas when a mandatory life sentence is imposed without the sentencer’s being able to ‘take into account how children are different, and how those differences counsel against irrevocably sentencing them to a lifetime in prison.’” (at 3)

“Accordingly, because Brown was mandatorily sentenced, the case was remanded for Jackson to present evidence and to have it be considered on resentencing.” (at 7)

FACTUAL BACKGROUND

Brown entered a negotiated guilty plea to first-degree murder in 1982 and was sentenced to life imprisonment. He asserted that he was seventeen when he committed the offense and that his life sentence violated *Miller v. Alabama* because the sentencing court did not consider his youth and mitigating circumstances. Under the sentencing law then applicable, first-degree murder carried a range of ten to forty years or life, making Brown's life sentence discretionary rather than mandatory.

PROCEDURAL HISTORY

Brown pleaded guilty to first-degree murder in 1982 and received a life sentence. In 2013, he filed a habeas corpus petition in the Lincoln County Circuit Court, alleging that his sentence was illegal because he was seventeen at the time of the offense and the sentencing court had not considered his youth. The circuit court dismissed the petition, and the Arkansas Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- *Miller v. Alabama*, *Miller v. Alabama*, 132 S. Ct. 2455 (2012)

- Jackson v. Norris, 2013 Ark. 175
- Noble v. Norris, 368 Ark. 69, 243 S.W.3d 260 (2006)
- Gooch v. Hobbs, 2014 Ark. 73
- Murry v. Hobbs, 2013 Ark. 64
- Hobbs v. Turner, 2014 Ark. 19
- Britt v. State, 2014 Ark. 134
- Smith v. Hobbs, 2014 Ark. 204

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